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COMMISSION ON HUMAN RIGHTS
Fifty-fourth session
Agenda item 10

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Afghanistan*, Algeria*, Bahrain*, Bangladesh, Cuba, Democratic Republic of the Congo, Egypt*, Indonesia, Jordan*, Kuwait*, Lebanon*, Malaysia, Mauritania*, Morocco, Oman*, Qatar*, Saudi Arabia*, Sudan, Syrian Arab Republic*, Tunisia and Yemen*: draft resolution

1998/... Human rights situation in southern Lebanon and West Bakaa

The Commission on Human Rights,

Gravely concerned at the persistent practices of the Israeli occupation forces in southern Lebanon and West Bakaa which constitute a violation of the principles of international law regarding the protection of human rights, in particular the Universal Declaration of Human Rights, as well as a grave violation of the relevant provisions of international humanitarian law as contained in the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the Fourth Hague Convention of 1907,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Reiterating its deep regret at the failure of Israel to implement Security Council resolution 425 (1978) of 19 March 1978,

Recalling the provisions of the April Understanding of 26 April 1996,

Censuring the repeated Israeli aggressions in southern Lebanon and West Bakaa which cause a large number of deaths and injuries among civilians, displace thousands of families and destroy dwellings and properties,

Reaffirming that the continued occupation and practices of the Israeli forces constitute a violation of the relevant resolutions of the Security Council as well as of the will of the international community and the conventions in force on this matter,

Hoping that the efforts made in order to achieve peace in the Middle East will put an end to the violations of human rights that are being committed in the occupied zone in southern Lebanon and West Bakaa and that the peace negotiations will continue with a view to reaching a settlement of the Middle East conflict and achieving a just and comprehensive peace in the region,

Gravely concerned at the persistent detention by Israel of many Lebanese citizens in the detention centres of Khiyam and Marjayoun, and at the death of some of these detainees as a result of ill-treatment and torture,

Expressing its indignation at the ruling handed down on 4 March 1998 by the Israeli Supreme Court permitting the Israeli authorities to retain Lebanese detainees in Israeli prisons without trial and to hold them as hostages and as a bargaining card, which constitutes a flagrant violation of the principles of human rights,

Reaffirming its resolution 1997/55 of 15 April 1997, and expressing its deep regret at the failure of Israel to implement that resolution,

1. Deplores the continued Israeli violations of human rights in the occupied zone in southern Lebanon and West Bakaa, demonstrated in particular by the abduction and ongoing arbitrary detention of Lebanese citizens, the destruction of their dwellings, the confiscation of their property, their expulsion from their land, the bombardment of peaceful villages and civilian areas, and other practices violating the most fundamental principles of human rights;

2. Calls upon Israel to put an immediate end to such practices, consisting in air raids and the use of prohibited weapons such as fragmentation bombs, and to implement Security Council resolution 425 (1978)

of 19 March 1978 requiring Israel's immediate, total and unconditional withdrawal from all Lebanese territories and respect for the sovereignty, independence and territorial integrity of Lebanon;

3. Also calls upon the Government of Israel, the occupying Power of territories in southern Lebanon and West Bakaa, to comply with the Geneva Conventions of 1949, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

4. Further calls upon the Government of Israel, the occupying Power of territories in southern Lebanon and West Bakaa, to refrain from holding Lebanese detainees incarcerated in its prisons as hostages for bargaining purposes, and to release them all immediately as well as the other persons detained in prisons and detention centres in the occupied territories in Lebanon in violation of all the Geneva Conventions and other provisions of international law;

5. Affirms the obligation for Israel, the occupying Power of territories in southern Lebanon and West Bakaa, to commit itself to allowing the International Committee of the Red Cross and other international humanitarian organizations to recommence their periodic visits to the detainees and to verify their health and humanitarian conditions and, in particular, the circumstances in which some of them died as a result of ill-treatment and torture, and to allow the families of the detainees to resume their visits to the Khiyam detention centre to which they have been totally denied access since 10 September 1997;

6. Requests the Secretary-General:

(a) To bring the present resolution to the attention of the Government of Israel and to invite it to provide information concerning the extent of its implementation thereof;

(b) To report to the General Assembly at its fifty-third session and to the Commission on Human Rights at its fifty-fifth session on the results of his efforts in this regard:

7. Decides to continue its consideration of the situation of human rights in southern Lebanon and West Bakaa at its fifty-fifth session.

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